

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Lauri A. Maxwell

Case No.: 16-27661  
Judge: ABA  
Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Original                    | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input checked="" type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required         | <input type="checkbox"/> No Discharge Sought         |

Date: July 25, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 1,144.00 per month to the Chapter 13 Trustee, starting on August 1, 2017 for approximately 50 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Law Offices of Seymour Wasserstrum	Attorney Fees	\$2960
IRS	Taxes	\$10,540.31
State of New Jersey	Taxes	\$2,676.93

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Toyota Financial Services	2013 Toyota Rav4	\$31,079.00	\$19,245.00	none	\$31,079.00	5%	\$35,189.94

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
SPS	5596 Oak Street, Mays Landing NJ 08330	\$201,000.00	\$0.00

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Toyota Financial Services	2013 Toyota Rav4	\$35,391.60	\$3,000

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

**d. Post-Petition Claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: July 25, 2017.

Explain below **why** the plan is being modified:

To list the creditor, SPS, as surrendered under 4(C).  
To remove SPS as unaffected by the plan under 4 (D)

Explain below **how** the plan is being modified:

To list the creditor, SPS, as surrendered under 4(C).  
To remove SPS as unaffected by the plan under 4 (D)

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: July 25, 2017

/s/ Seymour Wasserstrum  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: July 25, 2017

/s/ Lauri Maxwell  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Lauri A Maxwell  
 Debtor

Case No. 16-27661-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 32

Date Rcvd: Jul 26, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 28, 2017.

db  
 516392518 #+Lauri A Maxwell, 5596 Oak Street, Mays Landing, NJ 08330-3371  
 516535996 +Atlantic County Special Civil, 1201 Bacharach Blvd., Atlantic City, NJ 08401-4510  
 +Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC,  
 PO Box 41021, Norfolk, VA 23541-1021  
 516392520 #+Charles Maxwell, 5596 Oak Street, Mays Landing, NJ 08330-3371  
 516392523 +Dr. Vivekkumar Dasondi, PO Box 195, Northfield, NJ 08225-0195  
 516392524 +First Premier Bank, 3820 N. Louise Avenue, Sioux Falls, SD 57107-0145  
 516392525 +Galloway Twp Ambulance Squad, c/o DM Medical, PO Box 1016, Voorhees, NJ 08043-7016  
 516392526 +Gary Dinenberg, Esquire, 1109 South Main St, Po Box 875, Pleasantville, NJ 08232-0875  
 516421589 +HESSA, PO Box 548, Trenton, NJ 08625-0548  
 516392527 +Hessa, P.O. Box 528, Newark, NJ 07101-0528  
 516392532 +Motor Vehicle Commission, PO Box 136, 4th Floor West, Surcharge Admin Office,  
 Trenton, NJ 08666-0136  
 516392531 +Motor Vehicle Commission, PO Box 4850, State Of New Jersey, Trenton, NJ 08650-4850  
 516513685 +NJSVS, Surcharge Violation System Office, NJSVS Bankruptcy Unit, PO Box 4850,  
 Trenton, NJ 08650-4850  
 516392534 Office Of Attorney General, 25 Market Street, PO Box 112, Richard J Hughes Justice Complex,  
 Trenton, NJ 08625-0112  
 516392539 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: State Of New Jersey, P.O. Box 245,  
 Dept Of Treasury-Division Of Taxation, Trenton, NJ 08695-0245)  
 516392535 +Select Portfolio Servicing, PO Box 65250, Salt Lake City, UT 84165-0250  
 516392538 +South Jersey Gas, PO Box 577, Attn: Mrs. DeMarco, Hammonton, NJ 08037-0577  
 516392541 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Motor Credit Corp, 5005 N. River Blvd.,  
 Cedar Rapids, IA 52411)  
 516392540 +The Bureaus, 650 Dundee Rd Suite 370, c/o capital one card, Northbrook, IL 60062-2757  
 516806651 +The Bureaus, Inc., c/o of PRA Receivables Management, LLC, PO Box 41021,  
 Norfolk, VA 23541-1021  
 516552467 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013  
 516392542 +Wells Fargo Bank, P.O. Box 14517, Des Moines, IA 50306-3517  
 516606453 +Wells Fargo Bank NA, PO Box 5058, MAC P6053-021, Portland, OR 97208-5058  
 516605549 Wells Fargo Bank, N.A., P.O. Box 45038 MAC Z3057012, Jacksonville, FL 322325038  
 516618753 Wells Fargo Bank, National Association, as trustee, c/o Select Portfolio Servicing, Inc.,  
 P.O. Box 65250, Salt Lake City, UT 84165-0250

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usan.j.njbankr@usdoj.gov Jul 26 2017 23:00:40 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 26 2017 23:00:37 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 cr +E-mail/Text: bankruptcy@pepcoholdings.com Jul 26 2017 23:00:20 Atlantic City Electric,  
 5 Collins Drive, Suite 2133, Carneys Point, NJ 08069-3600  
 516392517 E-mail/Text: bankruptcy@pepcoholdings.com Jul 26 2017 23:00:20  
 Atlantic City Electric Company, Pepco Holdings, Inc.,  
 Bankruptcy Division, Mail Stop 84CP42, 5 Collins Drive, Suite 2133,  
 Carneys Point, NJ 08069-3600  
 516392522 E-mail/Text: ned-collections\_bankruptcydocuments@comcast.com Jul 26 2017 23:01:12 Comcast,  
 PO Box 3006, Southeastern, PA 19398-3006  
 516392530 E-mail/Text: cio.bncmail@irs.gov Jul 26 2017 23:00:11 Internal Revenue Service,  
 P.O. Box 744, Special Procedure Branch, Springfield, NJ 07081  
 516392536 +E-mail/Text: jboehler@shorememorial.org Jul 26 2017 23:01:43 Shore Medical Center,  
 100 Medical Center Way, Somers Point, NJ 08244-2300

TOTAL: 7

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516392529\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
 PHILADELPHIA PA 19101-7346  
 (address filed with court: Internal Revenue Service, PO Box 724, Springfield, NJ 07081)  
 516392528\* +Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346  
 516392537\* +Shore Medical Center, 100 Medical Center Way, Somers Point, NJ 08244-2300  
 516392519 ##+Bayfront Emergency Physicians, Po Box 3012, Wilmington, DE 19804-0012  
 516392521 ##+Collections And Recoveries, 331 Tilton Road, Northfield, NJ 08225-1292  
 516392533 ##+North Shore Agency, 4000 East Fifth Ave, Columbus, OH 43219-1811

TOTALS: 0, \* 3, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 32

Date Rcvd: Jul 26, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 28, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 25, 2017 at the address(es) listed below:

Andrew M. Lubin on behalf of Creditor Wells Fargo Bank, National Association, as trustee for the holders of the First Franklin Mortgage Loan Trust 2006-FF17 Mortgage Pass-Through Certificates, Series 2006-FF17 bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc., as servicing agent for Wells Fargo Bank, National Association, as trustee for the holders of the First Franklin Mortgage Loan Trust 2006-FF17 Mortgage Pass-Through Ce bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
Denise E. Carlon on behalf of Creditor Wells Fargo Bank, National Association, as trustee for the holders of the First Franklin Mortgage Loan Trust 2006-FF17 Mortgage Pass-Through Certificates, Series 2006-FF17 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Seymour Wasserstrum on behalf of Debtor Lauri A Maxwell mylawyer7@aol.com, ecf@seymourlaw.net  
TOTAL: 6